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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,837	07/25/2003	Takeshi Iwasaki	008312-0305236	9253
909	7590	08/14/2006	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			BERNATZ, KEVIN M	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	

1773

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/626,837	IWASAKI ET AL.	
	Examiner	Art Unit	
	Kevin M. Bernatz	1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 26 July 2006 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.


To clarify the record, the Examiner notes that the embodiment represented by the proposed claims was discussed in the interview of March 24, 2006 with Mr. Christophe Lair. The above embodiment was one of two options presented to applicants to clarify that the first and second perpendicular magnetic layers could not both be a CoCrPtO-rare earth alloy (see Interview Summary attached to the Office Action mailed June 8, 2006).

In the instant case, the Examiner notes that the second perpendicular magnetic recording layer is limited to an alloy consisting essentially of Co, Cr, Pt, at least one rare earth element from the claimed Markush group, and optionally one or both of Ta and Nb. Since additional elements, including, but not limited to oxygen, are deemed to materially effect the basic and novel characteristics of a magnetic alloy, the Examiner notes that the second perpendicular magnetic recording layer is excluded from containing oxygen.

Hence, the reasons for allowance presented in Paragraph 3 of the Office Action mailed June 8, 2006 are still valid.



**CAROL CHANEY
SUPERVISORY PATENT EXAMINER**



**Kevin M. Bernatz, PhD
Primary Examiner**

August 10, 2006